

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

RICHARD PRATT and LARRY JONES,
individually and on behalf of all others similarly
situated,

Case No. 21-cv-11404-TLL-PTM

Plaintiffs,

v.

OUTDOOR SPORTSMAN GROUP, INC.,

Defendant.

STIPULATION AND ORDER

It is hereby stipulated and agreed by and between the undersigned parties, subject to approval and entry by the Court that:

1. On September 13, 2021, the Court entered an Order by Stipulation of the parties staying this case pending the parties' mediation. (ECF No. 13).
2. The Court's Order required the parties to file a joint status report to inform the Court within 5 business days of the resolution of this dispute through mediation, or the failure of mediation and need to return to litigation before this Court. (*Id.* at pp. 2-3).
3. The Court's Order further provided that if the parties failed to resolve the dispute through mediation, Defendant's response to Plaintiff's Complaint would be due within 14 days following the filing of the Joint Status Report.
4. On November 4, 2021, the parties filed a Joint Status Report informing the Court that they were unable to reach an agreement to resolve this matter, would continue efforts to reach

a resolution of this matter, and that Defendant will answer or otherwise respond to the Complaint on or before November 18, 2021. (ECF No. 14).

5. Defendant's counsel has informed Plaintiff's counsel that Defendant intends to file a motion to dismiss the Complaint based on the applicable statute of limitations and has sought concurrence in Defendant's anticipated motion pursuant to LR 7.1(a). Plaintiff opposes Defendant's anticipated motion.

6. The parties have agreed to a briefing schedule on Defendant's anticipated motion and seek to document the briefing schedule with the Court's permission via this Stipulation and Order.

7. The parties stipulate and agree that Defendant's motion to dismiss is due to be filed by no later than November 24, 2021, and Plaintiff's response to Defendant's motion to dismiss is due to be filed by no later than December 23, 2021.

8. The parties seek to document this briefing schedule on Defendant's motion to dismiss via this Stipulation and Order and respectfully request that the Court enter the attached Order consistent with the Stipulation.

Respectfully submitted,

/s/ Philip L. Fraietta (w/ consent)

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ORDER

It is so **ORDERED**.

Dated: November 22, 2021

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge